

## CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Owen Godshall	Team: Squad #2	CCRB Case #: 201810508	<input checked="" type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Friday, 11/16/2018 11:14 PM	Location of Incident: [REDACTED]	Precinct: 32	18 Mo. SOL 5/16/2020	EO SOL 12/31/2020	
Date/Time CV Reported Wed, 12/19/2018 12:23 PM	CV Reported At: CCRB	How CV Reported: Phone	Date/Time Received at CCRB Wed, 12/19/2018 12:23 PM		

Complainant/Victim	Type	Home Address
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]

Witness(es)	Home Address
[REDACTED]	[REDACTED]

Subject Officer(s)	Shield	TaxID	Command
1. POM Rory Dahill	03042	954690	032 PCT
2. POM Daryn Dellilo	18995	958486	032 PCT
3. LT Taiyuen Lee	00000	948233	032 PCT

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. POM Michael Ganz	04821	947016	032 PCT
2. POM Ryan Sundblom	00530	949706	032 PCT
3. SGT Joseph Davin	00899	950278	032 PCT

Officer(s)	Allegation	Investigator Recommendation
A.LT Taiyuen Lee	Abuse: At Macombs Place and West 153rd Street in Manhattan, Lieutenant Taiyuen Lee stopped the vehicle in which § 87(2)(b) and § 87(2)(b) were occupants.	[REDACTED]
B.LT Taiyuen Lee	Abuse: At Macombs Place and West 153rd Street in Manhattan, Lieutenant Taiyuen Lee frisked § 87(2)(b)	[REDACTED]
C.LT Taiyuen Lee	Abuse: At Macombs Place and West 153rd Street in Manhattan, Lieutenant Taiyuen Lee frisked § 87(2)(b)	[REDACTED]
D.LT Taiyuen Lee	Abuse: At Macombs Place and West 153rd Street in Manhattan, Lieutenant Taiyuen Lee searched § 87(2)(b)	[REDACTED]
E.LT Taiyuen Lee	Abuse: At Macombs Place and West 153rd Street in Manhattan, Lieutenant Taiyuen Lee searched § 87(2)(b)	[REDACTED]
F.LT Taiyuen Lee	Abuse: At Macombs Place and West 153rd Street in Manhattan, Lieutenant Taiyuen Lee searched the vehicle in which § 87(2)(b) and § 87(2)(b) were occupants.	[REDACTED]
G.POM Daryn Dellilo	Discourtesy: At the 32nd Precinct stationhouse, Police Officer Daryn Dellilo spoke discourteously to § 87(2)(b)	[REDACTED]
H.POM Daryn Dellilo	Discourtesy: At the 32nd Precinct stationhouse, Police Officer Daryn Dellilo spoke discourteously to § 87(2)(b)	[REDACTED]
I.POM Rory Dahill	Discourtesy: At the 32nd Precinct stationhouse, Police Officer Rory Dahill spoke discourteously to § 87(2)(b)	[REDACTED]

Officer(s)	Allegation	Investigator Recommendation
J.POM Rory Dahill	Force: At the 32nd Precinct stationhouse, Police Officer Rory Dahill used a chokehold against § 87(2)(b)	
K.POM Rory Dahill	Force: At the 32nd Precinct stationhouse, Police Officer Rory Dahill restricted § 87(2)(b)'s breathing.	

## Case Summary

On December 19, 2018, § 87(2)(b) filed this complaint with the CCRB on behalf of himself and his cousin § 87(2)(b) via telephone.

At approximately 11:14 p.m. on November 16, 2018, a vehicle which § 87(2)(b) was driving and in which § 87(2)(b) was a passenger was pulled over by Lieutenant Taiyuen Lee, Police Officer Michael Ganz, Police Officer Ryan Sundblom and Police Officer Daryn Dellilo of the 32<sup>nd</sup> Precinct Anti-Crime team for allegedly failing to properly signal a turn near the intersection of Macombs Place and West 153<sup>rd</sup> Street in Manhattan (**Allegation A: Abuse of Authority – Vehicle stop,** § 87(2)(g)). When § 87(2)(b) and § 87(2)(b) stopped, the officers ordered them to exit their vehicle. The officers then frisked (**Allegations B and C: Abuse of Authority – Frisk,** § 87(2)(g)) and searched (**Allegations D and E: Abuse of Authority – Search,** § 87(2)(g)) both civilians. The officers also searched the interior of the vehicle (**Allegation F: Abuse of Authority – Vehicle search,** § 87(2)(g)). Marijuana was recovered from inside the vehicle. Both civilians were arrested for possession of marijuana. § 87(2)(b)

(Board Review #01: Arrest Reports).

§ 87(2)(b) and § 87(2)(b) were transported to the 32<sup>nd</sup> Precinct stationhouse. The desk officer, Sergeant Joseph Davin, assigned the arrest to Police Officer Rory Dahill. § 87(2)(b) and § 87(2)(b) were placed in a holding cell. While they waited in the cell, Police Officer Dellilo recovered a small quantity of crack-cocaine from the floor. He accused § 87(2)(b) and § 87(2)(b) of discarding the crack-cocaine. He allegedly told the civilians that they were “fucked” and that they had “fucked up” (**Allegations G and H: Discourtesy – Word,** § 87(2)(g)).

Police Officer Dahill later ordered § 87(2)(b) to remove a gold chain necklace that he was wearing, allegedly stating, “Give me the fucking chain” (**Allegation I: Discourtesy – Word,** § 87(2)(g)). When § 87(2)(b) refused to take off the necklace, Police Officer Dahill allegedly placed a hand around § 87(2)(b)'s throat and choked him (**Allegation J: Force – Chokehold,** § 87(2)(g); **Allegation K: Force – Restricted Breathing,** § 87(2)(g)).

No video footage was found for this incident. Given that this complaint was filed over a month after the incident occurred, stationhouse footage of the incident had expired by the time the CCRB received the complaint.

## Findings and Recommendations

**Allegation (A) Abuse of Authority: At Macombs Place and West 153rd Street in Manhattan, Lieutenant Taiyuen Lee stopped the vehicle in which § 87(2)(b) and § 87(2)(b) were occupants.**

§ 87(2)(b) provided a telephone statement to the CCRB on January 7, 2019 (Board Review #02: Telephone Statement). The investigation was unable to obtain a sworn statement from § 87(2)(b). The investigation was also unable to contact § 87(2)(b) a potential witness to the allegations that occurred in the 32<sup>nd</sup> Precinct stationhouse (Board Review #03: Civilian Contact Attempts).

§ 87(2)(b) was interviewed at the CCRB on February 21, 2019. Police Officer Dellilo and Police Officer Sundblom were interviewed at the CCRB on April 12, 2019. Lt. Lee was interviewed at the CCRB on May 15, 2019. Police Officer Dahill was interviewed at the CCRB on May 30, 2019. Sergeant Davin was interviewed at the CCRB on June 6, 2019.

It is undisputed that Lt. Lee and the officers under his command pulled § 87(2)(b) and § 87(2)(b) over at Macombs Place and West 153<sup>rd</sup> Street. § 87(2)(b) and § 87(2)(b) were subsequently arrested after officers recovered marijuana from inside their vehicle.

§ 87(2)(b) and § 87(2)(b) both denied that § 87(2)(b) failed to signal any turns while he was driving. They both denied that either of them had done anything to warrant being stopped by the police. While § 87(2)(b) made no mention of the officers providing an explanation for the stop, § 87(2)(b) stated that the officers accused § 87(2)(b) of failing to signal a left turn.

Lieutenant Lee, Police Officer Dellilo and Police Officer Sundblom all stated that they were assigned together to the Anti-Crime team. They stated that they pulled § 87(2)(b)s and § 87(2)(b)s vehicle over due to a moving violation. Police Officer Dellilo and Police Officer Sundblom both identified the violation as failure to properly signal a turn. Lieutenant Lee did not recall the specific violation that was observed. All three officers stated that § 87(2)(b)s moving violation was the sole factor contributing to their decision to initiate a vehicle stop.

Police Officer Dahill prepared § 87(2)(b)s arrest report. The narrative of the report indicates that it was prepared based on information provided to him by the officers on Lieutenant Lee's Anti-Crime team. The narrative also states that § 87(2)(b) was pulled over after making a left turn on West 153<sup>rd</sup> Street without using his turn signal. § 87(2)(b) was charged with § 87(2)(b), but was not charged with any moving violations (Board Review #01: Arrest Report). When Lieutenant Lee reviewed the arrest report, he recalled that § 87(2)(b) was pulled over for failing to signal a turn.

§ 87(2)(g)  
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**Allegation (B) Abuse of Authority: At Macombs Place and West 153rd Street in Manhattan, Lieutenant Taiyuen Lee frisked § 87(2)(b)**  
**Allegation (C) Abuse of Authority: At Macombs Place and West 153rd Street in Manhattan, Lieutenant Taiyuen Lee frisked § 87(2)(b)**  
**Allegation (D) Abuse of Authority: At Macombs Place and West 153rd Street in Manhattan, Lieutenant Taiyuen Lee searched § 87(2)(b)**  
**Allegation (E) Abuse of Authority: At Macombs Place and West 153rd Street in Manhattan, Lieutenant Taiyuen Lee searched § 87(2)(b)**  
**Allegation (F) Abuse of Authority: At Macombs Place and West 153rd Street in Manhattan, Lieutenant Taiyuen Lee searched the vehicle in which § 87(2)(b) and § 87(2)(b) were occupants.**

It is undisputed that after the officers stopped § 87(2)(b) and § 87(2)(b) they alleged that there was an unusual odor emanating from inside the civilians' vehicle. The officers then asked § 87(2)(b) and § 87(2)(b) to exit the vehicle. The officers searched both civilians as they exited the vehicle. The officers then searched the interior of the vehicle. Marijuana was recovered.

§ 87(2)(b) stated that either he or § 87(2)(b) had smoked marijuana approximately an hour before the incident. He declined to state which of them specifically was smoking. § 87(2)(b) denied that he or § 87(2)(b) were intoxicated or impaired at the time of the incident. He denied that there was any odor of marijuana in the vehicle. He was not aware of the presence of marijuana in the vehicle until it was discovered during the vehicle search. After the officers approached the civilians' vehicle, they accused § 87(2)(b) and § 87(2)(b) of "smoking" something in the vehicle. They then asked § 87(2)(b) and § 87(2)(b) to exit the vehicle.

§ 87(2)(b) stated that once he and § 87(2)(b) exited their vehicle, officers frisked them by patting along their waistbands, pants pockets and legs. He denied that the officers reached into his or § 87(2)(b)'s pockets. § 87(2)(b) stated that the officers "searched" him and § 87(2)(b) but he did not describe this action in any detail. Both civilians denied that the officers removed any items from their persons. Two of the officers then entered the civilians' vehicle and searched the passenger's cabin. § 87(2)(b) was turned away from the vehicle during the search and did not see which areas within the cabin the officers searched. The officers then claimed that they recovered marijuana from inside the vehicle. § 87(2)(b) did not see the marijuana himself and did not know where it was recovered from.

§ 87(2)(b) did not state whether there was an odor of marijuana in the vehicle. He denied that he or § 87(2)(b) were doing anything illegal at the time of the stop, but did not state whether either of them used marijuana prior to the stop. He acknowledged that he was carrying marijuana in the vehicle, but did not state how much there was, how it was packaged or where in the vehicle it was stored. He did not state whether there was an odor of marijuana in the vehicle.

Lieutenant Lee, Police Officer Dellilo and Police Officer Sundblom all stated that they approached § 87(2)(b) and § 87(2)(b)'s vehicle after it stopped. Lieutenant Lee and Police Officer Dellilo stated that they stood on the driver's side of the vehicle along with Police Officer Ganz, while Police Officer Sundblom stated that he stood on the passenger's side. Lieutenant Lee and Police Officer Dellilo both stated that they detected an odor of marijuana emanating from

inside the vehicle when they spoke to § 87(2)(b) at the driver's window. Lieutenant Lee further specified that he detected the odor of burning marijuana. Police Officer Sundblom stated that Police Officer Ganz reported to him that he smelled marijuana inside the vehicle after he spoke to § 87(2)(b). Police Officer Sundblom did not detect the odor himself at the time, but later smelled it himself when the civilians exited the vehicle. He did not specify whether the odor was specifically of burning marijuana. None of the officers made any other observations about the vehicle or its occupants that suggested that marijuana was present in the vehicle.

All three officers explained that the civilians were asked to exit the vehicle so that they could investigate the odor of marijuana. Lieutenant Lee explained that the odor of marijuana provided him and the other officers with "probable cause" to search both civilians as well as their vehicle. Lieutenant Lee stated that both civilians were frisked and searched when they exited the vehicle, but did not recall which officer conducted these actions. Police Officer Dellilo stated that Police Officer Ganz "searched" § 87(2)(b) and that Police Officer Sundblom "searched" § 87(2)(b) but did not recall these actions in detail. He did not recall if these officers patted the civilians' clothing or reached into the civilians' pockets. Police Officer Sundblom stated that Police Officer Ganz patted § 87(2)(b) down. He did not see the specific parts of § 87(2)(b)'s body that Police Officer Ganz patted and did not know if Police Officer Ganz reached into § 87(2)(b)'s pockets. Police Officer Sundblom frisked § 87(2)(b) around his waistband and pockets. He did not recall if he reached into § 87(2)(b)'s pockets.

All three officers stated that the civilians were escorted to the rear of their vehicle. One of the officers then searched the passenger cabin of § 87(2)(b)'s vehicle. Lieutenant Lee did not recall which officer conducted the search, but Police Officer Dellilo and Police Officer Sundblom identified him as Police Officer Ganz. All three officers stated that marijuana was recovered during the incident. Police Officer Dellilo and Police Officer Sundblom stated that Police Officer Ganz recovered it from the passenger cabin during the vehicle search. They did not recall where the marijuana was found in the cabin. Lieutenant Lee stated that an officer recovered marijuana either from § 87(2)(b)'s person when he was removed from the vehicle, or inside the vehicle during the search. None of the officers recalled how much marijuana was recovered or how it was packaged.

Police Officer Dahill prepared § 87(2)(b)'s arrest report. The narrative of the report states that it was prepared based on information provided to him by the 32<sup>nd</sup> Precinct Anti-Crime team. It also states that the Anti-Crime team recovered eighteen bags of marijuana from § 87(2)(b)'s vehicle after they detected an odor of marijuana coming from it (Board Review #01: Arrest Report).

Police Officer Dahill prepared property vouchers for § 87(2)(b)'s and § 87(2)(b)'s arrests. The vouchers indicate that eighteen bags of alleged marijuana were vouchered as arrest evidence (Board Review #04: Property Voucher).

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[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

§ 87(2)(g)

The odor of marijuana emanating from a vehicle during a valid traffic stop provides officers with probable cause to search the vehicle's occupants as well as the vehicle itself. People v. Chestnut, 36 N.Y.2d 971 (1975) (Board Review #05: Legal Reference).

§ 87(2)(g)

**Allegation (G) Discourtesy: At the 32nd Precinct stationhouse, Police Officer Daryn Dellilo spoke discourteously to § 87(2)(b)**

**Allegation (H) Discourtesy: At the 32nd Precinct stationhouse, Police Officer Daryn Dellilo spoke discourteously to § 87(2)(b)**

**Allegation (I) Discourtesy: At the 32nd Precinct stationhouse, Police Officer Rory Dahill spoke discourteously to § 87(2)(b)**

It is undisputed that after § 87(2)(b) and § 87(2)(b) were arrested and transported to the 32<sup>nd</sup> Precinct stationhouse, they were passed into the custody of Police Officer Dahill, who was assigned as their arresting officer. They were then lodged in a holding cell. Police Officer Dellilo later recovered a small quantity of alleged crack-cocaine from the floor in front of § 87(2)(b)s and § 87(2)(b)s holding cell. § 87(2)(b) was wearing a gold chain necklace at that time. Police Officer Dahill told § 87(2)(b) to remove the necklace. § 87(2)(b) refused to take the necklace off.

§ 87(2)(b) and § 87(2)(b) both stated that they were searched at the stationhouse's front desk before being lodged in the holding cell. Because the officers did not remove § 87(2)(b)s necklace during the search, the civilians assumed that § 87(2)(b) was permitted to keep it with him while in custody. At some point after the civilians were lodged in the holding cell, Police Officer Dellilo leaned down and appeared to pick a small object off the floor. He identified the object as crack-cocaine and accused the civilians of discarding it there. Police Officer Dellilo told § 87(2)(b) and § 87(2)(b) that they were "fucked." § 87(2)(b) also alleged that Police Officer Dellilo told them that they had "fucked up."

Later, Police Officer Dahill escorted § 87(2)(b) out of the holding cell so § 87(2)(b) could make a phone call. § 87(2)(b) stated that this occurred after Police Officer Dellilo cursed at them, while § 87(2)(b) stated that it occurred before. After § 87(2)(b) left the cell, Police Officer Dahill told § 87(2)(b) to remove his necklace. When § 87(2)(b) refused to remove it, Police Officer Dahill repeated his command. § 87(2)(b) alleged that Police Officer Dahill told him, "Give me the fucking chain." § 87(2)(b) alleged that Police Officer Dahill stated, "Give me the damn chain." § 87(2)(b) also alleged that later, when Police Officer Dahill tried to pull the chain off § 87(2)(b)s

neck, he stated, “I don’t give a fuck.” He also alleged that after the physical confrontation with § 87(2)(b) Police Officer Dahill exclaimed, “Shit!” § 87(2)(b) made no mention of Police Officer Dahill using profanity at that time.

The investigation identified another prisoner, § 87(2)(b) who was possibly in the holding cells with § 87(2)(b) and § 87(2)(b) at the time of these allegations. The investigation was unable to obtain a statement from her (Board Review #03: Civilian Contact Attempts).

Police Officer Dellilo and Police Officer Dahill both denied that they used any profanity towards § 87(2)(b) or § 87(2)(b). They and the other officers interviewed denied hearing any officers use profanity towards the civilians.

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**Allegation (J) Force: At the 32nd Precinct stationhouse, Police Officer Rory Dahill used a chokehold against § 87(2)(b)**

**Allegation (K) Force: At the 32nd Precinct stationhouse, Police Officer Rory Dahill restricted § 87(2)(b)'s breathing.**

It is undisputed that Police Officer Dahill told § 87(2)(b) to remove a necklace that he was wearing while in his holding cell. § 87(2)(b) refused to take the necklace off. Police Officer Dahill allowed § 87(2)(b) to exit the holding cell to make a phone call. § 87(2)(b) was not in handcuffs at the time. After § 87(2)(b) stepped out of the cell, he had a physical confrontation with Police Officer Dahill. It is also undisputed that the room containing the 32<sup>nd</sup> Precinct’s holding cells has a window installed in one of its walls that allows officers seated at the front desk to see into the room.

§ 87(2)(b) stated that when he and § 87(2)(b) arrived at the stationhouse, they were searched at the front desk before being lodged in the holding cell. The officers who searched him at the desk did not remove his necklace, so he assumed that he was allowed to keep it with him while in custody. Police Officer Dahill later approached the holding cell and asked § 87(2)(b) for his necklace. § 87(2)(b) told Police Officer Dahill that he had been allowed to keep his necklace. When Police Officer Dahill asked again for his necklace, § 87(2)(b) stated that he would only allow the desk officer, Sergeant Davin, to take the necklace because he was concerned that it would not be vouchered properly. Police Officer Dahill left the holding cell area, but returned a short time later. Police Officer Dahill offered to escort § 87(2)(b) out of the holding cell so that he could make a phone call. He allowed § 87(2)(b) to exit the cell, but before taking him to the phone, asked § 87(2)(b) again to take off his necklace. § 87(2)(b) told Police Officer Dahill that he would not remove the necklace and asked to be let back into his holding cell. Police Officer Dahill then grabbed § 87(2)(b) by the front of his throat using his right hand. He squeezed § 87(2)(b)'s throat “a little bit.” This action made it difficult for § 87(2)(b) to breathe, but did not totally restrict § 87(2)(b)'s airway. Police Officer Dahill held § 87(2)(b) against the bars of his holding cell while squeezing his throat. Police Officer Dahill attempted to pull the necklace off § 87(2)(b)'s neck



and over his head, but was unable to do so as his own arm was in the way. § 87(2)(b) responded by holding both of his hands out at shoulder level with palms open to demonstrate that he was not resisting Police Officer Dahill. He also called out for help. Sergeant Davin and several unidentified officers ran into the holding cell area. Sergeant Davin told Police Officer to release § 87(2)(b)'s throat. Police Officer Dahill held onto § 87(2)(b)'s throat for a further five or six seconds before releasing it. § 87(2)(b) estimated that Police Officer Dahill held his throat for approximately ten or eleven seconds in total. Police Officer Dahill did not use any further force against § 87(2)(b). § 87(2)(b)'s neck had red marks on it for several hours after Police Officer Dahill choked him, but they had faded by the morning. He did not seek medical attention.

§ 87(2)(b)'s statement was generally consistent with § 87(2)(b)'s, except as noted. § 87(2)(b) stated that Police Officer Dahill grabbed the necklace and tried to pull it over § 87(2)(b)'s head before he grabbed § 87(2)(b)'s throat. He also stated that Sergeant Davin and the other officers who entered the holding cell area physically separated Police Officer Dahill from § 87(2)(b). § 87(2)(b) alleged that § 87(2)(b) suffered scratches to his throat as a result of Police Officer Dahill's action.

Police Officer Dahill stated that Sergeant Davin assigned him to process § 87(2)(b)'s and § 87(2)(b)'s arrests after § 87(2)(b) was lodged in the holding cell. Sergeant Davin directed him to retrieve a necklace that § 87(2)(b) was wearing. Police Officer Dahill did not know why § 87(2)(b) had been allowed to wear the necklace into the cell. As soon as Police Officer Dahill went into the holding cell area, § 87(2)(b) asked him to make a phone call. Police Officer Dahill did not have the chance to ask § 87(2)(b) for his necklace before § 87(2)(b) requested the phone call. Police Officer Dahill escorted § 87(2)(b) out of the holding cell. Before walking § 87(2)(b) to the phone, Police Officer Dahill asked § 87(2)(b) to take off his chain. He was calm as he spoke. § 87(2)(b) became "aggressive" and "volatile." He shouted that he was not going to remove his necklace. He then took a step towards Police Officer Dahill responded by placing his hands on § 87(2)(b)'s chest and giving him a "light" push backwards. The push moved § 87(2)(b) about a foot backwards about one foot. He denied that he used any other physical force against § 87(2)(b) including placing his hand around § 87(2)(b)'s throat or placing him in a chokehold. He denied pushing § 87(2)(b) against the bars of his cell. After pushing § 87(2)(b) Police Officer Dahill lifted the necklace off § 87(2)(b)'s neck. He had no difficulty removing it. Sergeant Davin then entered the holding cell area and told Police Officer Dahill to wait for him in the stationhouse's 124 room. He denied that Sergeant Davin or any other officers physically separated him from § 87(2)(b). He denied that he or § 87(2)(b) sustained any injuries. He did not hear § 87(2)(b) complain of any injuries or of any difficulty breathing.

Sergeant Davin stated that he was not aware of § 87(2)(b)'s necklace until after his altercation with Police Officer Dahill. He stated that he first became aware of the altercation while he was sitting at the front desk. He heard shouting coming from inside the holding cell area. When he went to investigate the sound, he saw Police Officer Dahill and § 87(2)(b) standing next to each other in front of the holding cell. § 87(2)(b) appeared to be upset. He complained that Police Officer Dahill had taken a piece of jewelry from him. He did not complain that Police Officer Dahill had choked him or otherwise used force against him. Sergeant Davin told Police Officer Dahill to go wait in the 124 room. He then returned to the front desk and reviewed footage from the security camera installed in the holding cell. It showed Police Officer Dahill and § 87(2)(b)

standing next to each other in front of the holding cell. Police Officer Dahill then pushed § 87(2)(b) away from him. Sergeant Davin did not recall where Police Officer Dahill made contact with § 87(2)(b) or how many hands he used. Police Officer Dahill then pulled a necklace off § 87(2)(b)'s neck. The camera footage did not show Police Officer Dahill making any other contact with § 87(2)(b). Sergeant Davin did not see Police Officer Dahill place a hand on § 87(2)(b)'s neck or push § 87(2)(b) against the bars of the holding cell, either himself or on the camera footage.

Lieutenant Lee, Police Officer Dellilo and Police Officer Sundblom all stated that they returned to the stationhouse after § 87(2)(b)'s and § 87(2)(b)'s arrests, but did not participate in the prisoners' arrest processing once they were lodged in the holding cells. They were unaware of Police Officer Dahill getting into a physical altercation with § 87(2)(b) in the holding cells. They were not aware of § 87(2)(b) arguing with any officers about removing his necklace. They denied seeing Police Officer Dahill grab § 87(2)(b)'s throat or otherwise make contact with his throat. They denied seeing Police Officer Dahill push § 87(2)(b) or hold him against the bars of his cell.

Police Officer Dahill prepared a TRI report to document his interaction with § 87(2)(b) (Board Review #06: TRI Report). The report states that § 87(2)(b) was "refusing to comply with orders." It also states that § 87(2)(b) did not use any physical force against an officer, and that § 87(2)(b)'s actions did not cause injuries to any officers. The report states that Police Officer Dahill pushed § 87(2)(b) "to gain compliance from a verbally combative subject who was refusing a lawful order" and to "overcome resistance or aggression." The report indicates that § 87(2)(b) was not injured.

There is no mention of the confrontation between Police Officer Dahill and § 87(2)(b) in the command log (Board Review #07: Command Log).

The CCRB was unable to obtain stationhouse video footage because the complaint was filed after the relevant video footage had expired.

§ 87(2)(g)

§ 87(2)(g)

#### **Civilian and Officer CCRB Histories**

- § 87(2)(b)
- This is the first CCRB complaint to which § 87(2)(b) has been a party (Board Review #08: Civilian CCRB Histories).



	Signature	Print Title & Name	Date
Squad Leader:	_____	_____	_____
	Signature	Print Title & Name	Date
Reviewer:	_____	_____	_____
	Signature	Print Title & Name	Date